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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA : <u>INDICTMENT</u>

- v. - : 08 Cr.

ALEXIS HALL,

Defendant. 08CRIM 258

COUNT ONE

The Grand Jury charges:

1. From on or about October 30, 2006, up to and including on or about March 22, 2007, in the Southern District of New York and elsewhere, ALEXIS HALL, the defendant, unlawfully, willfully, and knowingly and with intent to defraud as part of an offense affecting interstate and foreign commerce, did effect transactions, with one and more access devices issued to another person and persons, to receive payment and any other thing of value during a one-year period, the aggregate value of which is equal to and greater than \$1,000, to wit, HALL deposited convenience checks issued to other persons into her bank account without authorization and withdrew the funds.

(Title 18, United States Code, Sections 1029(a)(5), 1029(b)(1), and 2.)

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#### COUNT TWO

The Grand Jury further charges:

2. From on or about October 30, 2006, up to and including on or about March 22, 2007, in the Southern District of New York and elsewhere, ALEXIS HALL, the defendant, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Section 1028A(c), to wit, HALL possessed and used access devices belonging to one or more persons who had not authorized HALL to have or use such access devices as charged in Count One of the Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

# FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, ALEXIS HALL, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud and aggravated identity theft offenses.

### Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
  - (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981, Title 28, United States Code, Section 2461, and Title 18, United States Code, Sections 1028A and 1029.)

FOREPERSON

MICHAEL J. SARCIA
United States Attorney

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

#### UNITED STATES OF AMERICA

- v. -

ALEXIS HALL,

Defendant.

#### INDICTMENT

08 Cr.

(18 U.S.C. §§ 2, 1028A, and 1029(a)(5) and (b)(1).

> MICHAEL J. GARCIA United States Attorney.

A TRUE BILL

Foreperson.